

LEWIS AND CLARK COUNTY
WATER QUALITY PROTECTION DISTRICT
BOARD MEETING
Helena, MT 59601
316 N. Park, Room 226
July 22, 2014

Members Present

Stan Frasier, chair
Mayor Jamie Schell, vice-chair
Eric Regensburger
Commissioner Susan Good Geise
Kammy Johnson
David Donohue
Randall Camp

Staff

Kathy Moore
Jim Wilbur
James Swierc
Jennifer McBroom
Jolene Helgersen
Melanie Reynolds

Members Absent

Amanda Harrow

Guests Present

Bob Anderson, Hydrometrics
Betsy Burns, EPA

Stan Frasier, chair, called the 198th meeting of the Lewis and Clark County Water Quality Protection District (WQPD) Board of Directors to order at 5:30 p.m. A quorum was established.

MINUTES

Stan Frasier asked if there were any corrections or additions to the minutes May 27, 2014. Mayor Schell noted an error on page 3 of the board packet in the METG 2014 Interim Measures Plan Comment paragraph. Mayor Schell stated the minutes should read “Bob Anderson, East Helena Groundwater Technical Manager with Hydrometrics” and also noted a spelling error in the last paragraph on page 3. Mayor Schell made a motion to approve the minutes as amended. Jennifer Lowell seconded the motion. The motion carried 7-0.

REVIEW OF AGENDA

No additions were made.

PUBLIC COMMENT

There was no public comment.

FINANCE MANAGER’S REPORT

Kathy Moore, Environmental Services Division Administrator, stated that Norman Rostocki, Finance Coordinator, was not able to attend the meeting due to his participation fighting forest fires. Ms. Moore stated that at the end of the FY 14, the WQPD has carried over \$106,000 into FY15. She also noted that the Board of County Commissioners has approved the 10 percent WQPD district fee increase.

PROPOSED APPLICATION FOR EAST VALLEY CONTROLLED GROUNDWATER AREA

Ms. Moore presented a draft petition for Controlled Groundwater Area (CGWA) in the eastern portion of the Helena Valley for Board authorization (see Attachment “A”). Ms. Moore gave a brief history of the contamination that has occurred in the valley and in East Helena. She also presented the history of activity (see Attachment “B”), the long-term operations and enforcement of a permanent CGWA (see Attachment “C”), frequently asked question sheet (see Attachment “D”), for Board review. Ms. Moore stated that the Board of Health will also be presented the same request at their next board meeting. In answer to a question from Ms. Lowell, Ms. Moore stated that monitoring wells that are installed within the CGWA boundaries will be monitored by the Montana Environmental Trust Group or the Custodial Trust and not the technical advisory group (TAG). Bob Anderson with Hydrometrics stated that a condition could be added to the rule allowing for additional sampling on permitted wells. In answer to a question from Mayor Schell, Mr. Anderson indicated that a property owner will need to work with the Department of Natural Resources and Conservation (DNRC) prior to installing a well due to water rights requirements. This will most likely prevent a property owner from installing a new well on their property without a proper permit. In answer to questions from Randall Camp, Ms. Moore stated that if the department is issuing a permit for a new well in sub-area 2 then we can add in the condition that the new well will need to be sampled periodically. Betsy Burns with the Environmental Protection Agency (EPA) stated that the EPA has met with the two major landowners within the proposed CGWA to discuss future plans and process regarding the land. In answer to a question from Mayor Schell, Ms. Moore stated that the implementation and administration of the CGWA will be funded by the custodial trust through the special fund that would be set up with the county and discussion is in place about the cost to residents for permit for replacement wells outside the East Helena City limits. There is no cost to landowners regarding existing wells. Ms. Moore predicted there won't be many well permits requested. In answer to a question from Mr. Camp, Mr. Anderson stated that in order to drill a replacement well under the plume, the landowner will need follow state regulation and hire an engineer. After further board discussion, Commissioner Good Geise made a motion asking the WQPD Board to authorize the Chair to sign a Petition to the DNRC to implement rulemaking for a CGWA as presented here tonight and as described in the document titled ‘Supporting Information for the East Valley Controlled Groundwater Area Petition, Lewis and Clark Count, Montana’, and the attachments exhibits listed therein. Eric Regensburger seconded the motion. The motion carried 8-0.

EMERALD RIDGE GROUNDWATER ISSUES

James Swierc, Hydrogeologist with the WQPD gave a PowerPoint presentation on the groundwater depletion and tertiary aquifer issues in the Emerald Ridge Subdivision. Mr. Swierc highlighted the number of wells in the subdivision and the depths of the wells, ground water hydrographs showing aquifer depletion, Stiff diagrams on the sampled wells, the comparison to the Helena Valley Aquifer, ground water flow direction, 2014 expanded data collection program and ground water temperatures. Commissioner Good Geise stated that George Thebarger Community Development & Planning Director for the county met with HBIA to discuss the issues involving the Emerald Ridge Subdivision and the effects other subdivision may see in the future. Future planning may require subdivision lot sizes to be no less than 20 acres. Mr. Swierc stated that the homeowners association for Emerald Ridge is organizing a committee to come up with alternative sources of water in reaction to the depletion of ground water.

UPDATES AND ANNOUNCEMENTS

Lake Helena Watershed Festival: The Lake Helena Watershed Festival will be on August 23, 2014, from 9-1 p.m. at Women's Park in conjunction with the Helena Farmers Market.

Running Water for Helena Race: The Running Water for Helena race will be on July 26, 2014 in support of the work that has been done in the Ten Mile watershed. Proceeds from the race go to Montana Discovery Foundation and the Lake Helena Watershed Group.

East Valley Infrastructure Tour: James Wilbur, Water Quality District Coordinator, thanked the Board for their attendance at the East Valley Infrastructure tour. Mayor Schell suggested future tours of the Prickly Pear Creek realignment area on the site of the former ASARCO smelter as construction progress.

There being no board member discussion, the meeting adjourned at 6:50 p.m.

Stan Frasier, chair